

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

<hr/>)	
IN RE GENETICALLY MODIFIED RICE)	4:06 MD 1811 CDP
LITIGATION)	
)	ALL CASES
<hr/>)	

NOTICE OF FILING OF LIST OF PENDING RELATED CASES

Attached as Exhibit A is a list of pending related cases known to lead counsel as of the close of business July 2, 2009, with the information requested in CMO 5.

In *Schafer, et al. v. Riceland Foods, et al.*, Judge Whiteaker granted Plaintiffs' Unopposed Motion for Continuation of the Trial Setting on June 30. The trial setting of August 24, 2009 was vacated and a hearing is set for September 17, 2009 to select a new trial date and discuss a new Case Management Order.

The only case outside of this MDL that is currently set for trial is *Ancel, et al. v. Bayer CropScience LP, et al.*, Arkansas State Court, Woodruff County, Case No. 2008-0107. The *Ancel* case is set for a six-week trial beginning on February 1, 2010.

The cases identified in Exhibit A are now sorted by state, then by lead plaintiff name.

Dated: July 2, 2009

Respectfully submitted,

/s/ Eric R. Olson

Eric R. Olson

William F. Goodman, III
Joseph J. Stroble
Elizabeth M. Gates
WATKINS & EAGER
The Emporium Bldg.
400 East Capitol Street, Suite 300
Post Office Box 650
Jackson, Mississippi 39205-0650

Mark E. Ferguson
**BARTLIT BECK HERMAN PALENCHAR &
SCOTT LLP**
Courthouse Place
54 West Hubbard Street, Suite 300
Chicago, Illinois 60610

Terry Lueckenhoff, #43843
FOX GALVIN LLC
One South Memorial Drive, 12th Floor
St. Louis, Missouri 63102

Glen E. Summers
Lester Houtz
Eric R. Olson
John M. Hughes
Sundeep K. Addy
**BARTLIT BECK HERMAN PALENCHAR &
SCOTT LLP**
1899 Wynkoop Street, 8th Floor
Denver, Colorado 80202

***ATTORNEYS FOR BAYER CROPSCIENCE LP, BAYER CROPSCIENCE HOLDING,
INC., BAYER CROPSCIENCE LLC, BAYER CROPSCIENCE INC.,
AND BAYER CORPORATION***

CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2009, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

/s/ Eric R. Olson

Exhibit A

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-0107

Court

Arkansas - State

1st Judicial District, Circuit Court of
Woodruff County, Arkansas (Civil Division)

Judge

Bentley E. Story

500 N. 3rd Street
Augusta, AR 72006
(870) 347-5206 (605)

Plaintiff(s)

Ancel, Robert L.; Ancel, Tommy; Tommy Ancel and Robert Ancel Farm; Kyle, Lenny Joe; Lenny Joe Kyle Farms; Meredith, Chester W.; Meredith Brs. Farms; Alumbaugh, Cindy; Alumbaugh, Mary Kyle; Alumbaugh, Everett; Mary Kyle Alumbaugh Farms; Branch, Richard C.; Branch, Ann; Richard Branch Farms, a partnership; Alumbaugh, Brian; Brian Alumbaugh Farms; Alumbaugh, Burl; Alumbaugh, Sharon; Burl Alumbaugh Farms; Coley, Charles; Coley, Brenda; Charles Coley Farms; Coley, Michael; Coley, Deborah; Coley, Arlen; Coley, Elizabeth; Rufus Comer Farms

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance.

Status of the Case:

Set for Trial, February 1, 2010.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-0107

Court

Arkansas - State

11th E. Judicial District, Circuit Court of
Arkansas County, Arkansas (Stuttgart
Division)

Judge

David G. Henry

302 S. College St.
Stuttgart, 72160
673-2056 (365)

Plaintiff(s)

BASF Corporation; BASF Agrochemical Products B.V.

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer Bioscience NV
Bayer CropScience LP
Bayer Corporation

Plaintiff Counsel

Kenneth R. Shemin
Fulbright Office Building
Shemin Law Firm, PLLC
217 East Dickson St., Suite 106G
Fayetteville, AK 72702
479-973-4442

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Plaintiffs, who grew and sold CLEARFIELD rice and marketed other agricultural products, claim negligence, common law strict liability - products liability, common law negligence per se - violation of the AR Rice Certification Act, common law negligence per se - violation of the AR Crop & Research Facilities Protection Act, violation of the AR Deceptive Trade Practices Act, trespass to chattels, conversion, public nuisance, private nuisance, tortious interference with contractual relationship or business expectancy, violation of the NC Unfair and Deceptive Practices Act, and subrogation.

Status of the Case:

Bayer Entities filed an answer on September 19, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2009-173-5

Court

Arkansas - State

Circuit Court of Jefferson County, Arkansas

Judge

Jodi Raines-Dennis

Division 5
P.O. Box 8705
Pine Bluff, Arkansas 71611-8705
870-541-5377
FAX: 870-536-277

Plaintiff(s)

Briggs, Jesse; Briggs Bros. Farms Partnership; Jesse Briggs, Inc.; John Briggs III, Inc.; Old River Farms Partnership; Big Cat Farms, Inc.; R.G. Farms, Inc.; Raymond Glen Wright; Big MO Farm Partnership; Amber Waves of Grain, Inc.; Full Silo Farms, Inc.; Briggs & Briggs, Inc.; Highwater Planting Company, Inc.; Henry Slew, Inc.; Johnson Lake Planting Company, Inc.; Hannaberry Planting Co., Inc.; Witney Gull, Inc.

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Charles A. Banks
Banks Law Firm, PLLC
100 Morgan Keegan Dr., Suite 100
Little Rock, AR 72202

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer plaintiffs claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer Entities filed an answer on March 27, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-845

Court

Arkansas - State

11th W. Judicial District, Circuit Court of
Lincoln County, Arkansas (Stuttgart Division)

Judge

Jodi Raines-Dennis

300 S. Drew
Star City, 71667
(870) 628-4147 (492)

Plaintiff(s)

Charles, Wesley; Charles, Alice; Roshell, Hazel Charles;
Charles, Joe; Charles, Ronnie Lee; Roshell, Ernestine
Charles; Copland, Addie Lee Charles

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer Cropscience LP filed an answer on September 24, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2009-27 (LF)

Court

Arkansas - State

Circuit Court of Mississippi County, Osceola
District, Arkansas

Judge

Lee Fergus

2nd Div.
P. O. Box 1472
Jonesboro, AR 72403-147

Plaintiff(s)

Doss, David; David Doxx Farms; Joe Tacker; Joe Tacker
Farms; Joe-Bob Farms, Inc.; H&T Farms, Inc.; Brett Tacker;
Barbara Tacker; B&C Tacker Farms

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Charles A. Banks
Banks Law Firm, PLLC
100 Morgan Keegan Dr., Suite 100
Little Rock, AR 72202

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer plaintiffs claim negligence, res ipsa loquitur, gross negligence, fraudulent
concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer Entities filed an answer on March 27, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2009-31-2

Court

Arkansas - State

Circuit Court of Lee County, Arkansas

Judge

Richard L. Proctor

Division 2
108 Mississippi Street
Wynn, Arkansas 72396
870-238-3831
FAX: 870-238-7429

Plaintiff(s)

Dozier, John B.; John Dozier Land Trust

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer Plaintiffs claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion, and private nuisance against defendants.

Status of the Case:

Bayer Entities filed an answer on March 27, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2009-59 JF

Court

Arkansas - State

Circuit Court of Greene County, Arkansas

Judge

John Fogleman

8th Div.
206 River Trace Drive
Marion, Arkansas 72364
870-739-3156
FAX: 870-739-982

Plaintiff(s)

Hancock, Lisa Cupp

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Charles A. Banks
Banks Law Firm, PLLC
100 Morgan Keegan Dr., Suite 100
Little Rock, AR 72202

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer plaintiff claims negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer Entities filed an answer on March 30, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV2007-433

Court

Arkansas - State

Circuit Court of Crittenden County, Arkansas

Judge

Pamela Honeycutt

P. O. Box 1951
Jonesboro, AR 72403
870-933-7713

Plaintiff(s)

Huber Muehle GmbH

Defendant(s)

Riceland Foods, Inc.
Bayer CropScience Inc.
Bayer CropScience LP

Plaintiff Counsel

Kent J. Rubens
RIEVES RUBENS & MAYTON
P.O. Box 1599
West Memphis, AR 72303
870-735-3420

Defense Counsel

(Riceland)
Barry Deacon
Barrett and Deacon
300 South Church Street
P.O. Box 1700
Jonesboro, AR 72403
870-931-1700

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

German rice purchaser plaintiff brings claims against Riceland Foods, Inc. for breach of contract, breach of express warranty, breach of implied warranty of fitness for a particular purpose, breach of implied warranty of merchantability, negligence, strict product liability, violation of the Arkansas Deceptive Trade Practices Act, and fraud. Plaintiff also brings claims against Bayer CropScience LP and Bayer CropScience Inc. for negligence, absolute liability for ultra-hazardous activity, strict products liability, and public nuisance. Plaintiff also brings a claim against all defendants for negligence per se (alleged violation of the Arkansas Rice Certification Act, Ark. Code Ann. § 2-15-203). Plaintiff seeks compensatory and punitive damages and seeks an injunction that defendants clean up plaintiffs' storage and production facilities.

Status of the Case:

The Bayer defendants filed their answer on December 17, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2009-170-5

Court

Arkansas - State

Circuit Court of Jefferson County, Arkansas

Judge

Jodi Raines-Dennis

Division 5
P.O. Box 8705
Pine Bluff, Arkansas 71611-8705
870-541-5377
FAX: 870-536-277

Plaintiff(s)

Jacobs, Douglas; Deborah Jacobs; J&J Planting Co.; D&S Farms LLC; Sam Morgan; Carol Morgan; Bruce Morgan; Leeann Morgan; Andy Reeves; Charlene Reeves; Morgan, Morgan & Reeves Partnership; James K. Sherman; Billie Jean Sherman; Sherman Farms Partnership

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Charles A. Banks
Banks Law Firm, PLLC
100 Morgan Keegan Dr., Suite 100
Little Rock, AR 72202

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer plaintiffs claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer Entities filed an answer on March 27, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2009-26 (JF)

Court

Arkansas - State

Circuit Court of Poinsett County, Arkansas

Judge

John Fogleman

8th Div.
206 River Trace Drive
Marion, Arkansas 72364
870-739-3156
FAX: 870-739-982

Plaintiff(s)

Jennings, Johnny; Miranda Huffman; M&J Farms, LLC; J,J&J, Inc.; J. Jennings Farms, LLC

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Charles A. Banks
Banks Law Firm, PLLC
100 Morgan Keegan Dr., Suite 100
Little Rock, AR 72202

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer plaintiffs claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer Entities filed an answer on March 27, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-876-2

Court

Arkansas - State

11th W. Judicial District, Circuit Court of
Jefferson County, Arkansas (Stuttgart
Division)

Judge

Robert Wyatt, Jr.

101 W. Barraque St.
Pine Bluff, 71601
(870) 541-5360 (477)

Plaintiff(s)

Jeter, Clay; Jeter, Brenda; Jetco Farms Partnership; Jeter,
W.S. Sr.; Erstine, Alan; J&E Farms

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer CropScience LP filed an answer on September 24, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2009-29

Court

Arkansas - State

Circuit Court of Lawrence County, Arkansas

Judge

Harold S. Erwin

Division 1
Jackson County Courthouse
208 Main Street
Newport, Arkansas 72112
870-523-7424/523-8046

Plaintiff(s)

Jones, Stan; Britt Jones; Britt Jones, Inc.; S&W Farms, Inc.;
Hogback Farms, Inc.; T&W Farms, Inc.; SIB Farms, Inc.;
Black Spice Farms, Inc.; J-Co Farms, Inc.

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer Plaintiffs claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion, and private nuisance against defendants.

Status of the Case:

Bayer Entities filed an answer on March 27, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2009-48-2

Court

Arkansas - State

Circuit Court of Lincoln County, Arkansas
(Second Division)

Judge

Robert Wyatt, Jr.

Division 2
PO Box 9140
Pine Bluff, Arkansas 71611-9140
870-541-5465
Fax: 870-541-5337

Plaintiff(s)

Kennedy, Murrell; R&M Kennedy Farms Partnership

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Riceland Foods, Inc.

Plaintiff Counsel

John G. Emerson
Scott E. Poynter
Jack T. Patterson
Christopher Jennings
Emerson Poynter LLP
500 President Clinton Ave., Suite 305
Little Rock, AR 72201

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer Plaintiffs claim common law public nuisance, common law private nuisance, common law absolute liability - ultrahazardous activity, violation of the Arkansas Crop & Research Facilities Protection Act, common law negligence, and common law strict liability - products liability against defendants.

Status of the Case:

Answers are due July 6, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2009-20-3

Court

Arkansas - State

Circuit Court of Chicot County, Arkansas

Judge

Robert Bynum Gibson, Jr.

Division 3
Drew County Courthouse
210 South Main Street
Monticello, Arkansas 71655
870-367-7604

Plaintiff(s)

Loewen, Johan; Helena Loewen; Johan & Helena Loewen, J.V.; Mike Meyers; Myers Farms; Twin Bayou Farms, Inc.

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Charles A. Banks
Banks Law Firm, PLLC
100 Morgan Keegan Dr., Suite 100
Little Rock, AR 72202

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer plaintiffs claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer Entities filed an answer on March 27, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2009-93

Court

Arkansas - State

Northern District, Circuit Court of Arkansas
County, Arkansas (Stuttgart Division)

Judge

David G. Henry

Division 1
P.O. Box 1166
Stuttgart, Arkansas 72160-1160
870-673-3181
FAX: 870-673-1168

Plaintiff(s)

Makovec, John

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Riceland Foods, Inc.

Plaintiff Counsel

John G. Emerson
Scott E. Poynter
Jack T. Patterson
Christopher Jennings
Emerson Poynter LLP
500 President Clinton Ave., Suite 305
Little Rock, AR 72201

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer Plaintiffs claim common law public nuisance, common law private nuisance, common law absolute liability - ultrahazardous activity, violation of the Arkansas Crop & Research Facilities Protection Act, common law negligence, and common law strict liability - products liability against defendants.

Status of the Case:

Complaint filed on June 11, 2009. Bayer CropScience LP served June 18, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-108

Court

Arkansas - State

11th E. Judicial District, Circuit Court of
Arkansas County, Arkansas (Stuttgart
Division)

Judge

David G. Henry

302 S. College St.
Stuttgart, 72160
673-2056 (365)

Plaintiff(s)

Meins, Scott; Meins, Dean; S&D Farm Partnership; Raymond Meins, Inc.; Shumate, Charles; Shumate, Scott E.; Pond, Robert H.; Pond, Judy; Pond, J. Kevin; Pond, Ann; Million Mallard Farms Partnership; Ponds Farm, Inc., Simpson, Johnny; Simpson, Elizabeth; Johnny & Elizabeth Simpson Partnership; Simpson, David; Simpson, Terry; David and Terry Simpson Partnership; Joyner, Henrine; Hoyner, Hubert; Hubert, Jane Wright; Seen, Josephine; Staten, James Wesley; Staten, James Wesley, as executor of the Estate of James L. Staten; Staten, Randy; Martin, Jamie L.; Morris, Betty; Betty L. Morris Living Trust; Simpson, Mark; Simpson, Elaine; Mark and Elaine Simpson Farms; Simpson, Jeff; Simpson, Marcie; J&M Simpson Farms

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer CropScience LP filed an answer on September 24, 2008. Riceland cross-claimed against the Bayer entities on January 20, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV2007-432

Court

Arkansas - State

Circuit Court of Crittenden County, Arkansas

Judge

Pamela Honeycutt

P. O. Box 1951
Jonesboro, AR 72403
870-933-7713

Plaintiff(s)

Mueller's Muehle GmbH

Defendant(s)

Riceland Foods, Inc.
Bayer CropScience Inc.
Bayer CropScience LP

Plaintiff Counsel

Kent J. Rubens
RIEVES RUBENS & MAYTON
P.O. Box 1599
West Memphis, AR 72303
870-735-3420

Defense Counsel

(Riceland)
Barry Deacon
Barrett and Deacon
300 South Church Street
P.O. Box 1700
Jonesboro, AR 72403
870-931-1700

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

German rice purchaser plaintiff brings claims against Riceland Foods, Inc. for breach of contract, breach of express warranty, breach of implied warranty of fitness for a particular purpose, breach of implied warranty of merchantability, negligence, strict product liability, violation of the Arkansas Deceptive Trade Practices Act, and fraud. Plaintiff also brings claims against Bayer CropScience LP and Bayer CropScience Inc. for negligence, absolute liability for ultra-hazardous activity, strict products liability, and public nuisance. Plaintiff also brings a claim against all defendants for negligence per se (alleged violation of the Arkansas Rice Certification Act, Ark. Code Ann. § 2-15-203). Plaintiff seeks compensatory and punitive damages and seeks an injunction that defendants clean up plaintiff's storage and production facilities.

Status of the Case:

The Bayer defendants filed their answer on December 17, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

2009-104

Court

Arkansas - State

Circuit Court of Jackson County, Arkansas

Judge

Harold S. Erwin

Division 1
Jackson County Courthouse
208 Main Street
Newport, Arkansas 72112
870-523-7424/523-8046

Plaintiff(s)

Nicholson, Tim; Sun Up Famers, Inc.

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Riceland Foods, Inc.

Plaintiff Counsel

John G. Emerson
Scott E. Poynter
Jack T. Patterson
Christopher Jennings
Emerson Poynter LLP
500 President Clinton Ave., Suite 305
Little Rock, AR 72201

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer Plaintiffs claim common law public nuisance, common law private nuisance, common law absolute liability - ultrahazardous activity, violation of the Arkansas Crop & Research Facilities Protection Act, common law negligence, and common law strict liability - products liability against defendants.

Status of the Case:

Complaint filed May 14, 2009. Answers due July 6, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2009-20-1

Court

Arkansas - State

Circuit Court of Monroe County, Arkansas

Judge

L.T. Simes II

Division 1
P.O. Box 2775
West Helena, Arkansas 72390

Plaintiff(s)

Ready, Ora B.; Odell McNeal; Orann McNeal; Otis McNeal;
Melvin C. Terrell; Howard Ozell; McNeal Hardy McKissick
McNeal; McNeal J.V.; Louis Pope; George Baird IV; Phillip
Lewis; Land Management Group, LLC

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Charles A. Banks
Banks Law Firm, PLLC
100 Morgan Keegan Dr., Suite 100
Little Rock, AR 72202

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer plaintiffs claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer Entities filed an answer on March 27, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-111-1

Court

Arkansas - State

1st Judicial District, Circuit Court of Cross
County, Arkansas (Stuttgart Division)

Judge

L.T. Simes, II

705 E. Union
Wynne, 72396
(870) 238-5750 (427)

Plaintiff(s)

Rushing, L.T.; Rushing, Willard; Rushing, Doug; Rushing, Marc; Rushing, Jerry; Rushing Farms Partnership; Taylor, David; Tee Farming Partnership; Taylor Planting Company, Inc.; Tell, Inc.; David Taylor Agriculture, Inc.; Ragan, Bill; Bill Ragan Farms; Barnes, Barbara; Barnes, Barbara as next friend of Helen James; Roy Green Farm; Davis, Steve; Davis, Chris; Steve and Chris Davis Farms Partnership; McKnight, Dan; McKnight, Karen; McKnight, Gregory; D&K Farms Partnership; McClintock, Kelly; Kelly McClintock Farms; Mitchell, Gary; Mitchell, Stella; Forrest Mitchell & Sons Partnership; Forrest Mitchell Farms, Inc.; Forrest Mitchell & Sons, Inc.; Webster, Billy M.

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer Cropscience LP filed an answer on September 24, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2006-0413

Court

Arkansas - State

23rd Judicial District, Circuit Court of
Lonoke County, Arkansas (Civil Division)
2nd Division

Judge

Phillip T. Whiteaker

301 N. Center St., Ste. 204
Lonoke, AR 72086
501-676-2316

Plaintiff(s)

Schafer, Randy; A.S. Kelly and Sons; Amaden, Randall;
Carter Farms Partnership; End of the Road Farms, Inc.;
Gosney Farms; Moery, Kyle; Moery, Robert E.; Neil Daniels
Farms; Petrus Farms, Inc.; Petrus Seed & Grain, Co., Inc.;
Petrus, Robert H.; R & B Amaden Farms; S&R Farms;
Schafer Planting Co.; Snider, Randall J.; Wallace Farms

Defendant(s)

Riceland Foods, Inc.
Bayer CropScience LP
Bayer CropScience USA Holding II, Inc.
Bayer CropScience USA LP
John "Doe"

Plaintiff Counsel

Paul Byrd
HARE, WYNN, NEWELL & NEWTON, L.L.P.
Metropolitan National Plaza
4220 North Rodney Parham Rd., Suite 250
Little Rock, Arkansas 72212
501-225-5500

Defense Counsel

(Riceland Foods)
Barry Deacon
Barrett and Deacon
300 South Church Street
P.O. Box 1700
Jonesboro, AR 72403
870-931-1700

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Seventeen rice farmer plaintiffs bring negligence claims against Bayer CropScience LP, Bayer CropScience USA Holding II, Inc., Bayer CropScience USA LP, and Riceland Foods, Inc. Those plaintiffs who are farmer-members of Riceland Foods Inc. also bring claims of fraudulent concealment against Riceland. Plaintiffs seek compensatory and punitive damages from all defendants and allege that provisions of The Arkansas Civil Justice Reform Act of 2003 (Act 649) limiting joint and several liability and punitive damages are unconstitutional.

Status of the Case:

Defendants have answered the complaint. Bayer CropScience LP removed the case to Arkansas federal court in October 2006, the case was transferred to this Court as part of the MDL, and this Court remanded the case back to the Circuit Court of Lonoke County, Arkansas, by order dated October 15, 2007. The trial set for August 2009 has been continued.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-0580

Court

Arkansas - State

23rd Judicial District, Circuit Court of
Lonoke County, Arkansas

Judge

Phillip Whiteaker

301 N. Center St., Ste. 204
Lonoke, AR 72086
501-676-2316

Plaintiff(s)

Underwood, Martin; Underwood, Carla; Martin Underwood
Farms; Morris, Michael W.; Morris, Martha D.; Michael W.
Morris Farms JV; Ables, Timmy; Ables, Meghan; Timmy &
Meghan Ables Farms

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer Cropscience LP filed an answer on September 24, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

2008-133 (RV)

Court

Arkansas - State

2nd Judicial District, Circuit Court of
Mississippi County, Arkansas (Osceola
Division)

Judge

Rice Van Ausdall

P.O. Box 466
Osceola, 72370
870-563-6471

Plaintiff(s)

Warren, Keith; Warren, Charles; Five Bros., Inc.; Allen, Joe;
Veasman, David; Gammill, Robert A. Jr.; Gammill, David;
Gammill, Michael; Gammill Farms; BDMG, Inc.; R.A. Gammill
and Son, Inc.; Raglund, LLC; Gammill Bros. Corp.;
Chambers, J.M. III; J.M. Chambers, III, LP; Hood, Paul;
Double H Farms; Hood, Phyllis; Hood, Clyde; Hood Farms,
JV; Davis, C.A. Jr.

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience LP f/k/a Aventis
CropScience USA LP
Bayer Bioscience NV
Bayer CropScience LLC
Bayer CropScience Holding, Inc.
Bayer CropScience, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Martin J. Phipps
Goldman Pennebaker & Phipps, P.C.
One International Centre
100 N.E. Loop 410, Suite 1500
San Antonio, TX 78217
210-340-9800

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Plaintiffs, rice farmers, claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer CropScience LP filed an answer on September 24, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV2007-169

Court

Arkansas - State

Circuit Court of Lonoke County, Arkansas
(Civil Division) 1st Division

Judge

Phillip Whiteaker

301 N. Center Street, Suite 204
Lonoke, AR 72086
501-676-2316

Plaintiff(s)

Willman, William E.; Elizabeth W. Thomas Trust 1997;
Elizabeth W. Thomas Trust 2000; Spears Farm Central, Inc.;
Spears, Gary d/b/a Spears Farms; Spears, Rodney Charles
d/b/a Chip Spears Farms; Spears, Shawn d/b/a Spears
Farms; W. Edgar Willman Trust 2000; Willman & Willman
Farms, LLC; Willman, Floyd C.

Defendant(s)

Riceland Foods, Inc.
Bayer A.G.
Bayer CropScience
Bayer CropScience Arkansas LP

Plaintiff Counsel

Thomas P. Thrash
Thrash Law Firm
1101 Garland Street
Little Rock, AR 72201
(501) 374-1058

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Bayer)
Gordon S. Rather, Jr.
Wright Lindsey & Jennings, LLP
200 West Capitol, Suite 2200
Little Rock, AR 72201

Description of the Case:

Nine famer plaintiffs bring suit against Riceland Foods, Inc., Bayer CropScience LP, Bayer AG, and Bayer CropScience. Plaintiffs bring negligence claims against all defendants and a fraud claim against Riceland. Plaintiffs seek compensatory and punitive damages.

Status of the Case:

Riceland and Bayer Cropscience LP have answered the complaint. The case was removed to the U.S. District Court for the Eastern District of Arkansas and subsequently remanded back to the Circuit Court of Lonoke County by order dated October 9, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

CV-2009-29

Court

Arkansas - State

Circuit Court of Jackson County, Arkansas

Judge

Harold S. Erwin

Division 1
Jackson County Courthouse
208 Main Street
Newport, Arkansas 72112
870-523-7424/523-8046

Plaintiff(s)

Winemiller, Steve; Jeremy Johnson; Nicholas Templeton; Atla Farms, Inc.; Steve Winemiller Farms, Inc.; NT, Incorporated

Defendant(s)

Bayer CropScience LP
Bayer CropScience Holding, Inc.
Bayer Corporation
Riceland Foods, Inc.

Plaintiff Counsel

Charles A. Banks
Banks Law Firm, PLLC
100 Morgan Keegan Dr., Suite 100
Little Rock, AR 72202

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Riceland)

Description of the Case:

Producer plaintiffs claim negligence, res ipsa loquitur, gross negligence, fraudulent concealment, trespass, conversion and private nuisance against defendants.

Status of the Case:

Bayer Entities filed an answer on March 27, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

09-cv-0659

Court

Louisiana - Federal

Western District of Louisiana (Lafayette)

Judge

Rebecca F Doherty

800 Lafayette Street
Suite 4700
Lafayette, LA 70501
(337) 593-5065

Plaintiff(s)

Attales, Lauren W. and Ashley C., and others.

Defendant(s)

Bayer AG
Bayer CropScience AG
Bayer CropScience GmbH
Bayer BioScience NV
Bayer CropScience LP

Plaintiff Counsel

Bruce S. Kingsdorf
Barrios Kingsdorf & Casteix
701 Poydras St., Suite 3650
New Orleans, LA 70139-3650
504-524-3300
Fax: 504-524-3313
Email: kingsdorf@bkbc-law.com

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Producer Plaintiffs allege common law negligence, statutory private nuisance, public nuisance, common law negligence per se (violation of the Plant Protection Act and 7 CFR Part 340), violation of the North Carolina Unfair and Deceptive Practices Act (N.C. Gen. Stat. 75-1.1) against Defendant.

Status of the Case:

A Tag-Along Notice was sent to the Judicial Panel in Multi-district Litigation on June 10, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

09-cv-0867

Court

Louisiana - Federal

Western District of Louisiana (Lafayette)

Judge

Richard T. Haik, Sr.

800 Lafayette Street
Suite 4700
Lafayette, LA 70501
(337) 593-5065

Plaintiff(s)

Bertrand, Ellagene R.; Mildred D. Trahan; Marceaux Farms Partners; Heirs of W.P. Edwards; Michael James Trahan; Joshua C. Trahan; Newman Farms LLC; Neal Landry Farms; Five T. Acres; Sandrus Stelly; Dexter Joseph Trahan; Shawn D. Trahan

Defendant(s)

Bayer CropScience LP
Bayer CropScience
Bayer AG

Plaintiff Counsel

Patrick W. Pendley
Pendley, Baudin & Coffin
24110 Eden Street
Plaquemine, Louisiana
70765-0071

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Producer plaintiffs claim negligence, statutory private nuisance, public nuisance, negligence per se - violation of the Plant Protection Act and 7 CFR Part 340, and violation of the North Carolina Unfair and Deceptive Practices Act against defendants.

Status of the Case:

Bayer Entities filed a Notice of Removal on May 27, 2009. A Tag-Along Notice will be sent to the Judicial Panel in Multi-district Litigation on July 6, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

09-cv-0887

Court

Louisiana - Federal

Western District of Louisiana (Lake Charles)

Judge

Patricia Minaldi

Edwin F. Hunter, Jr. United States Courthouse
611 Broad Street
Lake Charles, La. 70601

Plaintiff(s)

Drounette, Jeffrey; Craig and Pamela Schultz; Sheila and Douglas Schultz, Charles Herman Schultz II; Daniel Guillory; Jeanette Aguiard; Audrey Addison; Kermit Fruge

Defendant(s)

Bayer CropScience LP
Bayer CropScience
Bayer AG

Plaintiff Counsel

Patrick W. Pendley
Pendley, Baudin & Coffin
24110 Eden Street
Plaquemine, Louisiana
70765-0071

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Producer plaintiffs claim negligence, statutory private nuisance, public nuisance, negligence per se - violation of the Plant Protection Act and 7 CFR Part 340, and violation of the North Carolina Unfair and Deceptive Practices Act against defendants.

Status of the Case:

Bayer Entities filed a Notice of Removal on May 29, 2009. A Tag-Along Notice will be sent to the Judicial Panel in Multi-district Litigation on July 6, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

09-cv-1041

Court

Louisiana - Federal

Western District of Louisiana (Alexandria)

Judge

Dee D. Drell

105 United States Post Office and Courthouse
515 Murray Street,
Alexandria, Louisiana 71301
Phone:(318) 473-7415

Plaintiff(s)

H.E. Harper Farms; Harper & Sons, Inc.; H.E. Harper Land
Co. Inc.

Defendant(s)

Bayer CropScience LP

Plaintiff Counsel

John R. Whaley
Neblett Beard & Arsenault
PO Box 1190
Alexandria, LA 71309-1190
318-487-9874
Fax: 318-561-2591
Email: jwhaley@nbalelawfirm.com

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Producer Plaintiffs allege negligence, statutory private nuisance, public nuisance, negligence per se (violation of the Plant Protection Act and 7 CFR Part 340), violation of the North Carolina Unfair and Deceptive Practices Act (N.C. Gen. Stat. 75-1.1) against Defendant.

Status of the Case:

A Tag-Along Notice was sent to the Judicial Panel in Multi-district Litigation on June 25, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

09-cv-0870

Court

Louisiana - Federal

Western District of Louisiana (Alexandria)

Judge

Tucker L. Melancon

300 State Street, P.O. Box 799
Jennings, LA 70546
337-824-1160

Plaintiff(s)

Phenice, Mark W.; Mark Pousson; Cline Farms, Inc.; Dale Hughes II; Wayne G. Phenice; Dale and Dorothy Hughes; Assured Farms; Geri Dale Klumpp; Gerald Klumpp; Sammy Benoit

Defendant(s)

Bayer CropScience LP
Bayer CropScience
Bayer AG

Plaintiff Counsel

Patrick W. Pendley
Pendley, Baudin & Coffin
24110 Eden Street
Plaquemine, Louisiana
70765-0071

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Producer plaintiffs claim negligence, statutory private nuisance, public nuisance, negligence per se - violation of the Plant Protection Act and 7 CFR part 340, violation of the North Carolina Unfair and Deceptive Practices Act against defendants.

Status of the Case:

Bayer Entities filed a Notice of Removal on May 28, 2009. A Tag-Along Notice will be sent to the Judicial Panel in Multi-district Litigation on July 6, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

09-cv-0908

Court

Louisiana - Federal

Western District of Louisiana (Lake Charles)

Judge

James T. Trimble

Edwin F. Hunter, Jr. United States Courthouse
611 Broad Street
Lake Charles, La. 70601

Plaintiff(s)

Primeaux, David; Ryan Primeaux; Nicole Primeaux;
Arceneaux Farms Corporation; Ruby Arceneaux; Thomas
Arceneaux; Arceneaux and Drounette Farms; Irvy and Sandra
Reon; Holmwood Enterprises

Defendant(s)

Bayer CropScience LP
Bayer CropScience
Bayer AG

Plaintiff Counsel

Patrick W. Pendley
Pendley, Baudin & Coffin
24110 Eden Street
Plaquemine, Louisiana
70765-0071

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Producer plaintiffs claim negligence, statutory private nuisance, public nuisance, negligence per se - violation of the Plant Protection Act and 7 CFR part 340, violation of the North Carolina Unfair and Deceptive Practices Act against defendants.

Status of the Case:

Bayer Entities filed a Notice of Removal on June 3, 2009. A Tag-Along Notice will be sent to the Judicial Panel in Multi-district Litigation on July 6, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

09-cv-0983

Court

Louisiana - Federal

Western District of Louisiana (Lake Charles)

Judge

Patricia Minaldi

Edwin F. Hunter, Jr. United States Courthouse
611 Broad Street
Lake Charles, La. 70601

Plaintiff(s)

Rice Farms, Inc.

Defendant(s)

Bayer CropScience LP
Bayer CropScience
Bayer AG

Plaintiff Counsel

Patrick W. Pendley
Pendley, Baudin & Coffin
24110 Eden Street
Plaquemine, Louisiana
70765-0071

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Producer plaintiff claims negligence, statutory private nuisance, public nuisance, negligence per se - violation of the Plant Protection Act and 7 CFR Part 340, and violation of the North Carolina Unfair and Deceptive Practices Act against defendants.

Status of the Case:

Bayer Entities filed a Notice of Removal on June 16, 2009. A Tag-Along Notice will be sent to the Judicial Panel in Multi-district Litigation on July 6, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

09-cv-0865

Court

Louisiana - Federal

Western District of Louisiana (Lafayette)

Judge

Rebecca F. Doherty

800 Lafayette Street
Suite 4700
Lafayette, LA 70501
(337) 593-5065

Plaintiff(s)

Schultz, Scott; John H. Schultz III; Adrienne and Patrick
Schultz; C&F Farms

Defendant(s)

Bayer CropScience LP
Bayer CropScience
Bayer AG

Plaintiff Counsel

Patrick W. Pendley
Pendley, Baudin & Coffin
24110 Eden Street
Plaquemine, Louisiana
70765-0071

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Description of the Case:

Producer plaintiffs claim negligence, statutory private nuisance, public nuisance, negligence per se - violation of the Plant Protection Act and 7 CFR Part 340, and violation of the North Carolina Unfair and Deceptive Practices Act against defendants.

Status of the Case:

Bayer Entities filed a Notice of Removal on May 27, 2009. A Tag-Along Notice will be sent to the Judicial Panel in Multi-district Litigation on July 6, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

2009-10597-J

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Kristian Earles

P.O. Box 1980
Crowley, LA 70527
Phone: (337)788-8817

Plaintiff(s)

A&L Lawson Partnership; F&B Enterprises; Ruby Milner;
Johnny Humble; Glenn and Rhonda Simon; Lucas Simon;
Sable Guidry Trahan; Wesley Simon; Winnie Richard

Defendant(s)

Bayer CropScience, LP
Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

John F. Craton
Barousse & Craton, LLC
211 N. Parkerson Ave.
PO Box 1305
Crowley, LA 70527-1305
337-785-1000

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Board of Supervisors of LSU and Agricultural &
Mechanical College)
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Producer plaintiffs claim negligence, res ipsa loquitur, nuisance and trespass against
the defendants.

Status of the Case:

Bayer Entities filed an answer on June 16, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

69182 Div. A

Court

Louisiana - State

13th Judicial District Court for the Parish of
Evangeline, State of Louisiana

Judge

John Larry Vidrine

Evangeline Parish Courthouse
200 Court Street, Suite 200
Ville Platte, LA 70586
337-363-5516

Plaintiff(s)

Aguillard, Gordon; Choate, Cynthia F.; Cormier, Curtis;
Gautreaux, Craig; Hurst, Claudia F.; Rogers, Daniel, Jr.;
Fruge, Rodney J., Jr.; Landreneau, John D.; Ledoux, Kevin;
Marcantel, Daniel; Ozane, Lawrence; Sonnier, John G.;
Young, John A.; Zaunbrecher, Patrick

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Fourteen farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up plaintiffs' properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

2007-004615, Sect. H

Court

Louisiana - State

14th Judicial District Court for the Parish of
Calcasieu, State of Louisiana

Judge

Alcide J. Gray

P.O. Box 3210
Lake Charles, LA 70602
337-437-3550

Plaintiff(s)

Aguillard, Walter; Aguillard, Jordan

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Two farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

86321 Div. J

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Kristian Earles

P.O. Box 1980
Crowley, LA 70527
337-269-5761

Plaintiff(s)

Andrus, Bruce; Atteberry, William M.; Baronet, Wayne;
Dupre, Zan P.; Hensgens, Christian J.; Hensgens, Frank E.;
Hensgens, Gregory E.; Hoffpauir, John E.; John, John N., III;
Leger, James; Leger, Jeffery; Leger, John K.; Leger, Joseph
L., Jr.; Lejeune, Chad; Lejeune, Dean; Middlebrooks, Ward;
Pousson, Arlen M.; Pousson, Randall P.; Richard, Valjene;
Rose, Mark A.; Scanlan, Carl D., Jr.; Sonnier, Reggie;
Thibodeaux, Darrin; Thibodeaux, Harvey; Zaunbrecher, John;
Zaunbrecher, Reggie

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Twenty-six farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

86503-I

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Kristian Earles

Acadia Parish Courthouse
Court Circle
Crowley, La. 70526
(337) 788-8881

Plaintiff(s)

Beaumont Rice Mills, Inc.

Defendant(s)

The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Patrick W. Pendley
Pendley, Baudin & Coffin
24110 Eden Street
Plaquemine, Louisiana
70765-0071

Defense Counsel

(LSU)
David J. Shelby II
TAYLOR, PORTER, BROOKS & PHILLIPS, LLP
Chase Bank Building, 8th Floor
451 Florida, Baton Rouge, LA 70801
(225) 387-3221

Description of the Case:

Plaintiff, a rice miller, asserts claims under negligence per se, negligence, public nuisance, private nuisance, products liability and redhibition against sole defendant, Board of Supervisors of Louisiana State University and Agricultural & Mechanical College.

Status of the Case:

The Complaint filed on October 9, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

C-683-07

Court

Louisiana - State

31st Judicial District for the Parish of
Jefferson Davis, State of Louisiana

Judge

Ann Simon

300 State Street, P.O. Box 799
Jennings, LA 70546
337-824-1160

Plaintiff(s)

Benoit, Jason; Benoit, Joseph; Boudreaux, Leonard;
Broussard, Timothy J.; Fanny Edith Winn Educational Trust;
Faul, David; Faul, Jeff; Faul, Leroy; Frey, Richard B.; Frey,
Richard W.; Klump, Garrett; LeBlanc, Donald; LeBlanc, Reed;
Lucky D Farms, L.L.C.; Lundsford, Aaron; Sonnier, Dwayne;
Talley, Mike; Theriot, Gerrad; Theriot, Jason; Theriot, Sidney;
Thibodeaux, Brad; Watkins, Wynn; Zaunbrecher & Cassedy
Cattle, Co., Inc.; Zaunbrecher & Cassedy Farm Partnership

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Twenty-four farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

C-680-07

Court

Louisiana - State

31st Judicial District Court for the Parish of
Jefferson Davis, State of Louisiana

Judge

Ann Simon

300 State Street, P.O. Box 799
Jennings, LA 70546
337-824-1160

Plaintiff(s)

Billeaudeaux, Kirk; Bebee, David K.; Bebee, Ray;
Billeaudeaux, Kirk on behalf of the Estate of Eugene Britt;
Britt, Barbara; Britt, Barbara on behalf of the Estate of
Eugene Britt; Britt, Casey; Britt, Charles D.; Britt, Sheilli D.;
Buller, Brad; Buller, Brent; Byrne, Jeremy; Byrne, Tim;
Carbalan, Irvin M., Jr.; Carbalan, John J.; Carbalan, Phyllis
B.; Fruge, Robert G.; Raspberry, Corey; S&W Zaunbrecher
Farms, L.L.P.; Zaunbrecher, Bradley

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Nineteen farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

86331 Div K

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Patrick L. Michot

P.O. Box 3075
Lafayette, LA 70502
337-269-5724

Plaintiff(s)

Breaux, Robert C.; Faul, Terry; Frey, Ralph; Frey, Winston;
Hensgens, Dale; Hilda Frey Farm; Hundley, James; Hundley,
Michael C.; Lamm Brothers, LLC; Zaunbrecher, Byron;
Zaunbrecher, Dale; Zaunbrecher, Elwin J.; Zaunbrecher,
Leonard; Zaunbrecher, Mark; Zaunbrecher, Wendell

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Seventeen farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

10-18072

Court

Louisiana - State

38th Judicial District Court for the Parish of
Cameron, State of Louisiana

Judge

H. Ward Fontenot

P.O. Box 578
Cameron, LA 70631
337-775-5316

Plaintiff(s)

Broussard, Leonard; Hornesby, Keith; L&C Thevis Farm;
Thevis, Andrew; Thevis, Connie

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Five farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

C2007-395, Div. A

Court

Louisiana - State

33rd Judicial District for the Parish of Allen,
State of Louisiana

Judge

Joel G. Davis

P.O. Box 496
Oberlin, LA 70655
337-639-2266

Plaintiff(s)

Cappel, Lane; Fournierat & Toups Farms, LLC; Toups,
Joseph E.; Zaunbrecher, Shane; Zaunbrecher, Wayne

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Five farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

07-c-4597-B

Court

Louisiana - State

27th Judicial District Court for the Parish of
Saint Landry, State of Louisiana

Judge

Ellis Daigle

118 South Court St.
Suite 109
P. O. Box 750
Opelousas, LA 70570-5166
337-942-5606

Plaintiff(s)

Cart, Caleb Lee

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street
Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One farmer plaintiff seeks compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiff also seeks an injunction that defendants clean up his property.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

07-C-4232-C

Court

Louisiana - State

27th Judicial District Court for the Parish of
Saint Landry, State of Louisiana

Judge

Alonzo Harris

P.O. Box 473
Opelousas, LA 70571
337-942-5606

Plaintiff(s)

D.S. Farms; Hollier, Richard M., III; J & A Farms, Inc.;
Richard, Daniel; Richard, Wilfred; Smith, Duane R.; Smith,
Kyle R.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Seven farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

86113 Div. K

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Patrick L. Michot

P.O. Box 3075
Lafayette, LA 70502
337-269-5724

Plaintiff(s)

Dischler, Sylvia R.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
909 Poydras Street, Suite 2550
New Orleans, LA 70112-4000
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One farmer plaintiff seeks compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against bayer CropScience LP, on a negligence claim. Plaintiff also seeks an injunction that the defendants clean up her property.

Status of the Case:

Bayer Cropscience LP filed an answer on November 19, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

C-2007-400

Court

Louisiana - State

33rd Judicial District Court for the Parish of
Allen, State of Louisiana

Judge

Patricia C. Cole

Main Street, P.O. Box A
Oberlin, LA 70655
337-639-2256

Plaintiff(s)

Doise, Luke B.; Doise, Michael; Fontenot, Larry W.; Manuel,
Jerome J.; Manuel, Lane; Smith, Jason J.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Six farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

87367 Div. J

Court

Louisiana - State

15th Judicial District Court for the Parish of
Vermilion, State of Louisiana

Judge

Kristian Earles

P.O. Box 1980
Crowley, LA 70527
337-788-8811

Plaintiff(s)

Duhon, Bradley J.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street
Suite 100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One farmer plaintiff seeks compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiff also seeks an injunction that defendants clean up his property.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

69187 Div. A

Court

Louisiana - State

13th Judicial District Court for the Parish of
Evangeline, State of Louisiana

Judge

John Larry Vidrine

Evangeline Parish Courthouse
200 Court Street, Suite 200
Ville Platte, LA 70586
337-363-5516

Plaintiff(s)

Fruge, Randall J.; Guillory, Gerald; LaHaye, Kenneth;
Lejeune, A. Neil; Zaunbrecher, J.W.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Five farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

10-18073

Court

Louisiana - State

38th Judicial District Court for the Parish of
Cameron, State of Louisiana

Judge

H. Ward Fontenot

P.O. Box 578
Cameron, LA 70631
337-775-5316

Plaintiff(s)

Gayle, Kurt; Fletcher, W.E.; Vail, Brandon; Vail, Mark

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Four farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

2009-10667-B

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Jules Edwards

Acadia Parish Courthouse
Court Circle
Crowley, La. 70526
(337) 788-8881

Plaintiff(s)

Guillot, Benjamin R.; Thomas Gray, Sr.; Mary Martha
McGinn; Charles Harmon; Stephen Hamic; Dennis Hensgens;
William M. Hensgens; Jude Ohlenforst; Harmon & Ohlenforst;
John H. Faulk, Jr.; Mark Hetzel; Ronnie Reece Guillot; Bart
Gilbert; Glen P. Leleux; Egan Farms, Inc.

Defendant(s)

Bayer CropScience LP
Bayer CropScience, Inc.
Bayer CropScience Holding, Inc.
Bayer CropScience LLC
Bayer Corporation
Bayer BioScience NV
Bayer CropScience AG
Bayer AG
Louisiana State University and Agricultural & Mechanical
College

Plaintiff Counsel

Charles Sartain
William J. French
William B. Chaney
Looper, Reed & McGraw, P.C.
Suite 4100, 1601 Elm Street
Dallas, Texas 72501
(214) 954-4135

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(LSU)
David J. Shelby II
TAYLOR, PORTER, BROOKS & PHILLIPS, LLP
Chase Bank Building, 8th Floor
451 Florida, Baton Rouge, LA 70801
(225) 387-3221

Description of the Case:

Producer Plaintiffs claim negligence per se, negligence under Louisiana Civil Code Article 2315 et seq., public nuisance, private nuisance, products liability - construction or composition defect under L.A. R.S. 9:2800.55, redhibition under Louisiana Civil Code Article 2520 et seq., and violation of the North Carolina Unfair and Deceptive Practices Act against Defendants.

Status of the Case:

The Complaint was filed on June 12, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

C-2007-0782, Div. B

Court

Louisiana - State

36th Judicial District Court for the Parish of
Beauregard

Judge

Judge Herman I. Stewart

P.O. Box 1148
Deridder, LA. 70634
337-463-7993 ext. 13

Plaintiff(s)

Habetz, Kenneth Brian

Defendant(s)

Bayer CropScience, LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One farmer plaintiff seeks compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiff also seeks an injunction that defendants clean up his property.

Status of the Case:

No responses to the complaint have yet been filed.

RICE CASES OUTSIDE OF THE MDL

Case Number

2007-004655, Div. D

Court

Louisiana - State

14th Judicial District Court for the Parish of
Calcasieu, State of Louisiana

Judge

Robert L. Wyatt

1000 Ryan Street
Lake Charles, Louisiana 70601
337-437-3550

Plaintiff(s)

Harrington, Alden S.; Harrington Brothers Farm, Inc.;
Harrington, Blaine; Harrington, Randall; Harrington, Rocky;
Harrington, Shannon; Leonards, Jamie; Leonards, Nicholas;
Stelly, Marcus; Stelly, Mark; Stelly, Ryan

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Eleven farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

86322-A

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Kristian Earles

Acadia Parish Courthouse
Court Circle
Crowley, La. 70526
(337) 788-8881

Plaintiff(s)

Mark Hetzel and Reece Guillot

Defendant(s)

The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Michael H. Landry
James D. Landry
Landry, Landry & Landry
529 S.W. Court Circle
Crowley, Louisiana 70527
(337) 788-1850

Defense Counsel

(LSU)
David J. Shelby II
TAYLOR, PORTER, BROOKS & PHILLIPS, LLP
Chase Bank Building, 8th Floor
451 Florida, Baton Rouge, LA 70801
(225) 387-3221

Description of the Case:

Plaintiffs, long-grain rice producers, in a class action petition assert claims under negligence per se, negligence, public nuisance, private nuisance, products liability and redhibition against sole defendant, Board of Supervisors of Louisiana State University and Agricultural & Mechanical College.

Status of the Case:

Complaint filed on August 17, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

86280, Div. F

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Glenn P. Everett

P.O. Box 503
Crowley, LA 70527-0448
337-788-8881

Plaintiff(s)

Louisiana Rice Mill, LLC

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Philip Bohrer
BOHRER LAW FIRM, L.L.C.
8712 Jefferson Highway, Suite B
Baton Rouge, Louisiana 70809
(225) 925-5297

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One rice mill plaintiff seeks compensatory damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, private nuisance (La. Civ. Code arts. 667-69), trespass, and product liability under the Louisiana Products Liability Act (LA-R.S. 9:2800). Plaintiffs also seek an injunction that defendants act to prevent future contamination of plaintiff's facility and property.

Status of the Case:

Bayer CropScience LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

2007-0972B

Court

Louisiana - State

12th Judicial District Court, Parish of
Avoyelles, Louisiana

Judge

William J. Bennett

301 North Main St.
Marksville, LA 71351

Plaintiff(s)

Michael W. Zaunbrecher

Defendant(s)

Bayer CropScience, LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Plaintiff, a rice farmer, claims negligence, res ipsa loquitur, nuisance, and trespass
against defendants.

Status of the Case:

Bayer CropScience, LP filed an answer on January 14, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

72395 Div. C

Court

Louisiana - State

16th Judicial District Court for the Parish of
Saint Martin, State of Louisiana

Judge

John E. Conery

P.O. Box 596
Franklin, LA 70538
337-394-2210

Plaintiff(s)

Richard Grain, Inc.; Richard, Mickey

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Two farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

87382 Div. K

Court

Louisiana - State

15th Judicial District Court for the Parish of
Vermilion, State of Louisiana

Judge

Patrick L. Michot

P.O. Box 3075
Lafayette, LA 70502
337-269-5724

Plaintiff(s)

Simon, David

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street
Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One farmer plaintiff seeks compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiff also seeks an injunction that defendants clean up his property.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

90462

Court

Louisiana - State

15th Judicial District Court for the Parish of
Vermilion, State of Louisiana

Judge

Kristian Earles

P.O. Box 1980
Crowley, LA 70527
337-788-8811

Plaintiff(s)

Simon, Glenn and Rhonda; Alyson Trahan Bourque; Angela
Trahan Trust; Catherine Trahan Herpin; Edward and Angela
Vincent; Gregory Trahan and Shawn Trahan

Defendant(s)

Bayer CropScience, LP
Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

John F. Craton
Barousse & Craton, LLC
211 N. Parkerson Ave.
PO Box 1305
Crowley, LA 70527-1305
337-785-1000

Defense Counsel

(Bayer)
Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Board of Supervisors of LSU and Agricultural &
Mechanical College)
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Producer plaintiffs claim negligence, res ipsa loquitur, nuisance and trespass against
the defendants.

Status of the Case:

Bayer Entities filed an answer on June 16, 2009.

RICE CASES OUTSIDE OF THE MDL

Case Number

07-C-5833-A

Court

Louisiana - State

27th Judicial District Court for the Parish of
Saint Landry, State of Louisiana

Judge

James P. Doherty

118 South Court Street
Suite 109
P.O. Box 750
Opelousas, LA 70570-5166
337-942-5606

Plaintiff(s)

Soileau, Robert J.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street
Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One farmer plaintiff seeks compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiff also seeks an injunction that defendants clean up his property.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

86279 Div. D

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Edward D. Rubin

P.O. Box 5028
Lafayette, LC 70502-5028
337-291-6400

Plaintiff(s)

Supreme Rice Mill, Inc.

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

Philip Bohrer
BOHRER LAW FIRM, L.L.C.
8712 Jefferson Highway, Suite B
Baton Rouge, Louisiana 70809
(225) 925-5297

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

One rice mill plaintiff seeks compensatory damages against Bayer CropScience LP and LSU, and exemplary damages against Bayer CropScience LP, on claims of negligence, private nuisance (La. Civ. Code arts. 667-69), trespass, and product liability under the Louisiana Products Liability Act (LA-R.S. 9:2800). Plaintiffs also seek an injunction that defendants act to prevent future contamination of plaintiff's facility and property.

Status of the Case:

Bayer CropScience, LP filed an answer on October 5, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

85450-K

Court

Louisiana - State

15th Judicial District Court Acadia Parish,
Louisiana

Judge

Patrick L. Michot

P.O. Box 3075
Lafayette, LA 70502
(337)232-8211
(337)269-5754

Plaintiff(s)

Texana Rice Mill, Ltd.; Texana Rice, Inc.

Defendant(s)

The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Charles Sartain
LOOPER, REED & MCGRAW, P.C.
1601 Elm Street, Suite 4100
Dallas Texas 75201
(214)954-4135

Defense Counsel

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801

Description of the Case:

Texas rice mill limited partnership and its general partner seek compensatory damages (alleged lost profits and property damage) and punitive damages against LSU arising from plaintiffs' purchase of rice for sale in international markets. Plaintiffs bring claims of negligence, negligence per se (alleged violation of laws governing agricultural seed and regulations governing genetically modified organisms), strict liability for defective product and ultra-hazardous activity, public nuisance, and private nuisance.

Status of the Case:

Bayer Cropscience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

85449-K

Court

Louisiana - State

15th Judicial District Court for the Parish of
Acadia, State of Louisiana

Judge

Kristian Earles

Acadia Parish Courthouse
Court Circle
Crowley, La. 70526
(337) 788-8881

Plaintiff(s)

The Simpson Company

Defendant(s)

The Board of Supervisors of LSU and Agricultural and
Mechanical College

Plaintiff Counsel

Charles Sartain
William J. French
William B. Chaney
Looper, Reed & McGraw, P.C.
Suite 4100, 1601 Elm Street
Dallas, Texas 72501
(214) 954-4135

Defense Counsel

(LSU)
David J. Shelby II
TAYLOR, PORTER, BROOKS & PHILLIPS, LLP
Chase Bank Building, 8th Floor
451 Florida, Baton Rouge, LA 70801
(225) 387-3221

Description of the Case:

Plaintiff, an international rice broker and distributor, asserts claims of negligence per se, negligence, strict liability, public nuisance and private nuisance against the only defendant, Board of Supervisors of Louisiana State University and Agricultural & Mechanical College.

Status of the Case:

The Complaint filed on January 12, 2007.

RICE CASES OUTSIDE OF THE MDL

Case Number

2007-4454 Div. A

Court

Louisiana - State

15th Judicial District Court for the Parish of
Lafayette, State of Louisiana

Judge

John D. Trahan

P.O. Box 1366
Crowley, LA 70527-1366
337-233-0150

Plaintiff(s)

Vondenstein, Larry; Thibodeaux, Cleveland J., Jr.;
Vondenstein, Steven

Defendant(s)

Bayer CropScience LP
The Board of Supervisors of Louisiana State University and
Agricultural and Mechanical College

Plaintiff Counsel

Stephen B. Murray
MURRAY LAW FIRM
650 Poydras Street, Suite 1100
New Orleans, LA 70130
504-525-8100

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

Board of Supervisors of LSU and Agricultural &
Mechanical College
Thomas R. Peak
TAYLOR AND PORTER, LLP
451 Florida Street
Eighth Floor
Chase Tower South
Baton Rouge, LA 70801
US

Description of the Case:

Three farmer plaintiffs seek compensatory and consequential damages against Bayer CropScience LP and LSU, and exemplary and punitive damages against Bayer CropScience LP, on claims of negligence, nuisance (La. Civ. Code arts. 667-69), and trespass. Plaintiffs also seek an injunction that defendants clean up their properties.

Status of the Case:

Bayer CropScience, LP filed an answer on January 11, 2008.

RICE CASES OUTSIDE OF THE MDL

Case Number

52463

Court

Texas - State

239th Judicial District, Brazoria County,
Texas

Judge

Patrick Sebesta

111 E. Locust St., Ste 214A,
Angleton, TX 77515
979-864-1256

Plaintiff(s)

The Simpson Company

Defendant(s)

Bayer CropScience, LP
Bayer CropScience Holding, Inc.
Bayer Corporation
Aventis CropScience USA Holding, Inc., n/k/a Starlink
Logistics, Inc.
Texas Rice Improvement Association
Jacko Garrett

Plaintiff Counsel

James L. Reed
LOOPER REED & MCGRAW
1300 Post Oak Blvd., Suite 2000
Houston, Texas 77056
713-986-7000

Defense Counsel

Terry Lueckenhoff
Fox Galvin, LLC
One Memorial Drive, 12th Floor
St. Louis, MO 63102
(314) 588-7000

(Starlink)
Charles W. Schwartz
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
1000 Louisiana, Suite 6800
Houston, TX 77002
713-655-5160

Description of the Case:

Rice buyer plaintiff brings suit against Bayer CropScience LP, Bayer CropScience Holding, Inc., Bayer Corporation, Aventis CropScience USA Holding, Inc. (n/k/a Starlink Logistics, Inc.), Texas Rice Improvement Association, and Jacko Garrett. Plaintiff alleges damages resulting from its purchase of rice from rice millers for international sale. Plaintiff seeks compensatory damages from the Bayer defendants based on claims of negligence, negligence per se (alleged violation of federal law and regulations), public nuisance, and strict liability. Plaintiff seeks injunctive relief against Texas Rice Improvement Association and Garrett to allow it to test for the presence of LLRice and to prevent the sale of any rice that has tested positive for LLRice.

Status of the Case:

Defendants have answered and Plaintiff has served discovery. After a series of transfers to and from the Eastern District of Missouri, the case was returned to the 23rd Judicial District, Matagorda County, Texas. By agreement, this case was dismissed and refiled in Brazoria County, Texas. The old case number in Matagorda County was 06-H-0672. Currently pending is a motion to dismiss for forum non conveniens, which is set for hearing on August 24, 2009.